

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, SITTING AS THE ENVIRONMENTAL CONTROL BOARD; REPEALING ARTICLE 16 OF THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 92-20, **AS AMENDED**; ADOPTING IN ITS PLACE A NEW **ARTICLE 15** – HEALTH REGULATIONS; CHAPTER A – ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEMS (ENVIRONMENTAL CONTROL RULE I); CHAPTER B – DRINKING WATER SUPPLY SYSTEMS (ENVIRONMENTAL CONTROL RULE II); CHAPTER C – GENERAL TRESHOLD REVIEW; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR CAPTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Palm Beach County Environmental Control Act, Chapter 77-616, Laws of Florida, as amended, authorized the Palm Beach County Board of County Commissioners to sit as the Palm Beach County Environmental Control Board to adopt, amend, or repeal various Environmental Control Rules; and

WHEREAS, pursuant to its authority, the Environmental Control Board adopted Environmental Control Rule I, concerning Onsite Sewage Treatment and Disposal Systems, and Environmental Control Rule II, concerning Drinking Water Supply Systems; and

WHEREAS, pursuant to Section 163.3202, Florida Statutes, the Board of County Commissioners sitting as the Environmental Control Board codified these rules into the Unified Land Development Code, Ordinance 92-20, as amended from time to time; and

WHEREAS, the Board of County Commissioners sitting as the Environmental Control Board desires to further amend and recodify Environmental Control Rules I and II into Article 15 of a new Unified Land Development Code; and

WHEREAS, the County has received public participation and input regarding these Environmental Control Rules through the Citizens Task Force; and

WHEREAS, the Board of County Commissioners hereby elects to conduct its public hearings on this Ordinance at 9:30 a.m.; and

WHEREAS, public hearings have been held in conformance with the requirements set forth in Section 125.66, Florida Statutes, and the Palm Beach County Environmental Control Act.

1 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
2 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, as follows:

3 **Part I. Adoption of Article 15, Unified Land Development Code**

4 The original Article 16 of the Unified Land Development Code, as adopted
5 and codified in Ordinance 92-20 and amended from time to time, is hereby
6 repealed; and the new Unified Land Development Code, Article 15, which amends
7 and recodifies the original Article 16, including changes made to the adoption draft
8 of this Ordinance at Public Hearing, is hereby adopted as set forth in Exhibit 1,
9 attached hereto and made a part hereof.

10 **Part II. Providing for Repeal of Laws in Conflict**

11 All local laws and ordinances in conflict with any provisions of this Ordinance
12 are hereby repealed to the extent of such conflict.

13 **Part III. Severability**

14 If any section, paragraph, sentence, clause, phrase, word, map, diagram, or
15 any other item contained in this Ordinance is for any reason held by the Court to be
16 unconstitutional, inoperative, void, or otherwise invalid, such holding shall not affect
17 the remainder of this Ordinance.

18 **Part IV. Providing for a Savings Clause**

19
20 All development orders, permits, enforcement orders, ongoing enforcement
21 actions, and all other actions of the Board of County Commissioners, the Zoning
22 Commission, the Development Review Committee, the Environmental Control
23 Hearing Board, the Environmental Appeals Board, Enforcement Boards, all other
24 County decision-making and advisory boards, Special Masters, Hearing Officers,
25 and all other County Officials, issued pursuant to the procedures established by
26 prior Palm Beach County land development regulations, shall remain in full force
27 and effect. Each individual appointed to a decision-making body, or as a Special
28 Master, pursuant to the procedures set forth in prior Palm Beach County land
29 development regulations, shall serve for the remainder of his or her term.

30 **Part V. Captions**

31
32 All headings of articles, sections, paragraphs, and sub-paragraphs used in
33 this Ordinance are intended for the convenience of usage only and have no effect

Part VI. Providing for an Effective Date

APPROVED and ADOPTED by the Board of County Commissioners of Palm

DOROTHY H. WILKEN, CLERK
Board of County Commissioners
By Linda C. Wilken
CLERK
FLORIDA

By: Karen T. Marcus, Chair

By: [Signature]
County Attorney

December _____, 2003

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on December 4, 2003
DATED at West Palm Beach, FL on 1/5/04.
DOROTHY H. WILKEN, Clerk
By: Diane Brown D.C.